C. Control of forests not the property of Government.

Form of notice to be issued under section 35 of the Indian Forest Act, 1878.

119. The following is the form of notice to be issued under section 35 of the Indian Forest Act, 1878 :—

Notice.

From

To,

This is to give you notice under section 35 of the Indian Forest Act, 1878, that His Excellency the Governor of Bombay in Council has it in contemplation to issue a notification under the siad section of the said Act prohibiting [*or* prescribing the following, or similar regulations for] the breaking up *or* clearing of land for cultivation [*or* the pasturing of cattle, *or the firing or clearing of the vegetation, or each of these operations, as the case may be*] within the limits of the forest [or waste land, *as the case may be*], mentioned in the schedule hereto annexed. [If regulations are to be prescribed, here add *viz.* (1), (2), (3), etc.] If you wish to show cause why such notification should not be made, you should appear within two months from the date of receipt of this notice before who has been appointed by Government to hear your objections (if any) and the evidence you may produce in support of the same.

(Signed)

Dated at , }
the day of 19 . }

Leased lands.

120. Lands which Government hold from their owners on lease cannot be converted into reserved forests. Nor do such lands properly fall under section 38 of the Forest Act.†

II. Settlement and Demarcation.

A. System of Forest Settlement adopted in the Bombay Presidency.

Outline of Settlement procedure as in force in the Bombay Presidency.

121. The system of Forest Settlement adopted in the Bombay Presidency is as follows :—

(*a*) The settlement work is carried on chiefly by special officers belonging to the Civil Service, who are relieved of all other duties and are deputed upon forest settlement work alone.

(*b*) In a few cases the Assistant or Deputy Collector in revenue charge of a táluka is Forest Settlement Officer in respect of that táluka and performs the Forest Settlement work in addition to his ordinary revenue and magisterial duties.

* Government Resolution No. 3280, dated 25th June 1880.

† L. R. No. 469, dated 22nd April 1887, *vide* Government Resolutions No. 3021, dated 14th May 1887 ; Nos. 9344 and 9346, dated 26th November 1884 ; and No. 2520, dated 10th April 1891.

II. Settlement and Demarcation.

A. SYSTEM OF FOREST SETTLEMENT ADOPTED IN THE BOMBAY PRESIDENCY—*concluded.*

(*c*) The Collector of the District is generally appointed under section 16 of the Indian Forest Act, No. VII of 1878, to hear appeals from such orders as the Forest Settlement Officer in his Collectorate may pass under sections 10, 11, 14 or 15 of the Act.

(*d*) In Collectorates in which forest reservations have not been completed, the Forest Settlement Officer, who is invariably in such cases an Assistant Collector, is appointed Demarcation as well as Settlement Officer, and it then becomes his duty to arrange, in personal communication with the Forest Officer in charge of the District, what lands are required to be finally maintained as forests under the Forest Act; each táluka of a Collectorate is taken up in turn and demarcated, and in this manner complete selections of lands for forests are made. Lists of these lands are prepared and the latter are entered upon the map of the táluka in distinguishing colours and a report containing among other matters the recommendations of the Demarcation Officer, made in his executive capacity, as to the privileges which may be allowed in the lands when they have been constituted forests, is drawn up. These documents are then submitted to the Collector of the District by the Demarcation Officer. If any settlement work has been completed the results are embodied in the demarcation report, which in that case becomes a demarcation and settlement report. The Collector criticises the proposals and records his opinion, and the papers then pass to the Conservator of Forests of the Division, who attaches his remarks and transmits all the documents to the Commissioner of the Division. The Commissioner, after recording his views, submits the papers to Government for final orders. The demarcation lists comprise :—

(1) Lands already forest.

(2) Government waste land.

(3) Occupied lands or alienated lands which are to be acquired.

The Forest Demarcation and Settlement Officer is invested by Government with special powers for the acquisition of occupied lands. Some of these lands are purchased by payment of such ompensation as the Demarcation Officer and the occupant may jointly agree to. Others are obtained by exchange, waste lands being given in their place, and sometimes the Demarcation Officer remits, for one, two or three years, the assessment upon the new lands to be given in exchange for the occupied lands to be included in forests.*

B. Appointment and position of Forest Settlement Officer.

Forest Settlement Officer's appointment.

122. The Forest Settlement Officer is usually an officer belonging to the Civil Service, who may or may not be put on special duty to carry out the work, according to the extent of the settlement to be done.

* G. I. to the Government of Madras, No. 3150, dated 23rd April 1883.